

UNITED STATES DISTRICT COURT

for the
Central District of Illinois

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JUN 06 2017

CONSUMER PROTECTION SECTION
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UNITED STATES OF AMERICA,)
and the STATES of CALIFORNIA,)
ILLINOIS, NORTH CAROLINA,)
And OHIO,)

Plaintiffs,)

vs.)

DISH NETWORK LLC,)
Defendant.)

Case Number: 09-3073

JUDGMENT IN A CIVIL CASE

☐ **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **DECISION BY THE COURT.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED, pursuant to Findings of Fact and Conclusions of Law entered by United States District Judge Sue E. Myerscough on 6/5/2017, this Court entered Judgment in favor of the Plaintiffs United States and the States of California, Illinois, North Carolina, and Ohio and against Defendant Dish Network L.L.C. on Counts I, II, III, V, VI, VII, VIII, IX, X, and XII of the Third Amended Complaint and judgment in favor of Plaintiff United States and against Defendant Dish Network L.L.C. on the claim that Defendant provided substantial assistance to Star Satellite as alleged in Count IV of the Third Amended Complaint, and judgment in favor of Defendant Dish Network L.L.C. and against the United States on the claim that Dish Network, L.L.C. provided substantial assistance to Dish TV Now as alleged in Count IV of the Third Amended Complaint. The Court enters judgment in favor of Defendant Dish Network L.L.C. and against Plaintiff State of Illinois on Count XI of the Third Amended Complaint. The Court awards the following monetary relief in favor of the Plaintiffs United States and the States of California, Illinois, North Carolina, and Ohio and against Defendant Dish Network L.L.C.:

1. Dish Network L.L.C. is hereby ordered to pay a civil penalty to the United States in the sum of \$168,000,000.00 for Dish's violation of the TSR done with knowledge or knowledge fairly implied, as alleged in Counts I, II, III, and IV.
2. Dish Network L.L.C. is hereby ordered to pay statutory damages in the sum of \$84,000,000.00 to the Plaintiff States of California, Illinois, North Carolina, and Ohio in the following sums for violations of the TCPA and FCC Rule as alleged in Counts V and VI, for which Dish shall be jointly and

severally liable to the Plaintiff States of California, Illinois, North Carolina, and Ohio. The statutory damages shall be divided as follows:

- (a) California is awarded statutory damages in the sum of \$36,456,000.00;
 - (b) Illinois is awarded statutory damages in the sum of \$17,388,000.00;
 - (c) North Carolina is awarded statutory damages to in the sum of \$10,248,000.00; and
 - (d) Ohio is awarded statutory damages in the sum of \$19,908,000,00.
3. Dish Network L.L.C. is hereby ordered to pay a civil penalty to Plaintiff State of California in the sum of \$16,800,000.00 for violation of California Business and Professions Code §17200 and 175929(c) as alleged in Counts VII and VIII.
 4. Dish Network L.L.C. is hereby ordered to pay a civil penalty to Plaintiff State North Carolina in the sum of \$8,400,000.00 for violation of the North Carolina General Statutes §§ 75-102 and 75-104, as alleged in Counts IX and X.
 5. Dish Network L.L.C. is hereby ordered to pay a civil penalty to Plaintiff State Ohio in the sum of \$2,800,000.00 for violation of Ohio Consumer Sales Protection Act, Ohio Revised Code §§ 1345.02 and 1345.03, as alleged in Count XII.

As additional necessary and appropriate relief, the Court further hereby enters a Permanent Injunction in favor of the Plaintiffs and against Defendant Dish Network, L.L.C. in the manner set forth in the separate Permanent Injunction Order entered herewith.

All pending motions are denied as moot. This case is closed, except to the extent that the Court retains jurisdiction to enforce the Permanent Injunction.

Dated: June 5, 2017

s/ Kenneth A. Wells

Kenneth A. Wells
Clerk, U.S. District Court